

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CITIZENS FIRST NATIONAL BANK, a
national banking association,

Plaintiff,

v.

HARTMANN PROPERTIES, LLC, an Illinois
limited liability company, CONSOLIDATED
FREIGHTWAYS CORPORATION OF
DELAWARE, a Delaware corporation,
PENSION BENEFIT GUARANTY
CORPORATION, a Federal corporation, MID-
STATES EXPRESS, INC., an Illinois
corporation, UNKNOWN OWNERS and
NON-RECORD CLAIMANTS,

Defendants.

And

PENSION BENEFIT GUARANTY
CORPORATION, a Government Corporation,

Cross-Plaintiff,

v.

HARTMANN PROPERTIES, LLC, an Illinois
limited liability company, CONSOLIDATED
FREIGHTWAYS CORPORATION OF
DELAWARE, a Delaware corporation, MID-
STATES EXPRESS, INC., an Illinois
corporation, UNKNOWN OWNERS and
NON-RECORD CLAIMANTS,

Cross-Defendants.

Case No. 08 C 1642

**MOTION TO DISMISS
PARTY DEFENDANT**

NOW COMES the Plaintiff, CITIZENS FIRST NATIONAL BANK, a National banking association, by Howard & Howard Attorneys, P.C., and moves to dismiss CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, as a party defendant by reason of its filing a release of its senior mortgage as described in the Complaint. This Defendant no longer has any interest in the property to be foreclosed upon.

April 9, 2008.

CITIZENS FIRST NATIONAL BANK

By: /s/Timothy J. Howard

Timothy J. Howard

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CERTIFICATE OF ELECTRONIC FILING
AND CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on April 9, 2008, I electronically filed a true and correct copy of the foregoing document with the Clerk of this Court using the CM/ECF system, which sent notification of such filing to the following:

AUSA
United States Attorney's Office
219 S. Dearborn Street
Suite 500
Chicago, Illinois 60604

Joel R. Nathan
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604

I also certify that a true and correct copy of the foregoing document was served by First Class U.S. Mail, postage prepaid, on April 9, 2008 to the following non-CM/ECF participant(s):

Hartmann Properties, LLC
c/o Thomas J. Streit, Registered Agent
1999 West Downer Place, #101
Aurora, Illinois 60506

Mid-States Express, Inc.
c/o Thomas J. Streit, Registered Agent
1999 West Downer Place, #101
Aurora, Illinois 60506

Tania M. Moyron
Levene, Neale, Bender, Rankin & Brill L.L.P.
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/s/ Timothy J. Howard

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